

Ministry of Education

Guidelines for
Approval and Provision of
Care and/or Treatment, Custody
and Correctional (CTCC)
Programs

2019-20

Une publication équivalente est disponible en français sous le titre suivant : Lignes directrices concernant les programmes d'éducation destinés aux enfants et aux jeunes dans les établissements de soins, de traitement, de services de garde et de services correctionnels approuvés par le gouvernement, 2019-20

This publication is available on the [Ministry of Education's website](#).

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A. Introduction

The ministry is committed to supporting our students, so they have the skills to succeed in school and in life. As an integrated part of Ontario's education system, Care and/or Treatment, Custody and Correctional (CTCC) Programs:

- provide critical support to meet the needs of children and youth who cannot attend school due to their primary need for care, treatment and/or rehabilitation services and
- facilitate transitions to future educational success.

CTCC programs are voluntary collaborative partnerships between Ontario district school boards and government-approved facilities such as children mental health agencies, hospitals or youth detention centres. District school boards provide the educational component ("Education Program") while facilities provide the care and/or treatment or rehabilitation ("CTCC Services").

Children and youth in these programs may have:

- possible or diagnosed mental health or psychiatric needs
- addictions
- severe emotional and behavioural needs
- one or more exceptionalities and represent the highest needs with the exceptionalities
- physical or mental health needs requiring them to be hospitalized; and/or
- be in conflict with the law or at risk of being in conflict with the law.

The Ministry will continue to collect data on programs to support continuous program improvement to meet the education needs of children and youth enrolled in CTCC Programs and to improve educational outcomes.

These Guidelines are designed to provide direction to school boards regarding the provision of the Education Program within CTCC Programs in order to obtain approval and funding from the Ministry of Education. Guidelines are reviewed and updated on an annual basis.

This Guideline will only take effect if the Lieutenant Governor in Council makes certain regulations under the *Education Act*. The content of this Guideline is subject to such regulations, if and when made.

A glossary of terms is provided in Section N: Terminology and Notes of this document.

B. Purpose of CTCC Programs

The government of Ontario expects all qualifying children and youth to attend school when possible. Where a child or youth has special education needs, these needs should be

accommodated, if possible, through programs and services offered through the school board/school. CTCC Programs are only for children and youth who cannot attend schools because of their primary need for care, treatment and/or rehabilitation services. For more information, please refer to [Part F. Other Programs and Services-Educational Programs for Students in Government Approved Care and/or Treatment, , Custody, and Correctional Facilities- Special Education in Ontario Kindergarten to Grade 12, Policy and Resource Guide, 2017.](#)

Children and youth in CTCC Programs are among the most vulnerable and are at risk of not completing elementary and/or secondary education. Although these children and youth have primary needs other than education, the Ministry recognizes that maintaining continuity of education during periods of care, treatment and/or rehabilitation complements and supports treatment objectives and improved life outcomes for these children and youth.

Education Programs must be designed to recognize the primacy of the care, treatment and/or rehabilitation needs. Accordingly, CTCC programs are based on a collaborative model for sharing responsibilities between the school board and the CTCC Facility. The school board provides the educational programming and the CTCC Facility provides the care, treatment and/or rehabilitation services. In Enhanced Education and Treatment (EET) Education Programs, CTCC staff employed directly by school boards carry out this responsibility. Educational outcomes for children and youth benefit from the skills and experience of both the CTCC Services and Education Program staff working together.

Educators who work in Education Programs are expected to consider the care, treatment and/or rehabilitation needs of the children and youth in the Education Program. Education Program staff must therefore work jointly with CTCC Services staff. As such, joint planning and multi-disciplinary teams should be used to ensure consistent and continuous support for children and youth in Education Programs to assist them in achieving their education and care, treatment and/or rehabilitation outcomes.

In particular, joint planning and multi-disciplinary teams should be used to develop education plans for each child or youth in an Education Program. In both preparing and applying these education plans, the Education Program often becomes interwoven with the treatment services provided by the CTCC Services or school board staff in an EET Program. This collaborative approach enhances both education and care, treatment and/or rehabilitation outcomes.

C. The Essential Components of Education Programs

With the appropriate modifications and accommodations, many of the policies and resources for publicly funded schools are relevant to Education Programs.

Due to the unique needs of children and youth in Education Programs, the Ministry has identified three essential components for these programs. The three essential components are:

1. Instruction and Intervention
2. Assessment, Evaluation and Reporting on Educational Achievement
3. Transition Planning

1. Instruction and Intervention

- a. Children and youth should receive instruction based on individual strengths, interests and needs. Academic achievement should be considered in the context of prior academic achievement as well as ongoing assessment of the Education Program for that student.
- b. Learning resources should be available to children and youth in Education Programs, including technology-enabled learning, where appropriate.

Note: Rainbow District School Board provides e-Learning courses through the Ministry's Virtual Learning Environment to youth in CTCC Programs. E-Learning can be a valuable learning medium for youth with care, treatment or rehabilitation needs with the appropriate supports in place, allowing youth to start their course at any time and continue with it through transition and upon re-integration in the regular day school.

- c. The Education Program is based on the [Ontario Curriculum](#) and/or school board determined alternative programs and/or courses. Instruction is differentiated based on the strengths, interests and needs of each child or youth.
- d. In order to develop, deliver and support the effectiveness of Education Programs, Education Program staff should have relevant knowledge, classroom teaching experience and an understanding of the unique needs of children and youth in Education Programs. While not a requirement, all efforts should be made to employ teachers with at least Part One of the Special Education Specialist Qualification to work with children and youth in an Education Program
- e. The use of accommodations, modifications and/or alternative programming is reflected in the education plan. The strategies for instruction recognize the benefits of the multi-disciplinary approach.
- f. The education staff has access to and use:
 - i. current curriculum and related policy documents, resource guides, and professional learning materials to support their planning and delivery of the Education Program;
 - ii. professional learning activities provided by the school board; and
 - iii. appropriate training led by CTCC Facility staff or, in the case of EET Education Programs, CTCC staff hired by the school board, to support the unique needs of the children and youth in the Education Program.
- g. Principals and superintendents responsible for Education Programs work with, and provide support and guidance to, school board staff assigned to the Education Program on a regular basis

2. Assessment, Evaluation and Reporting on Educational Achievement

- h. It is expected that assessment, evaluation and reporting of educational achievement for children and youth in Education Programs will be as consistent as possible with and informed by, the Ministry of Education policies and procedures including [Growing Success, Assessment, Evaluation and Reporting in Ontario Schools, First Edition covering Grades 1-12, 2010](#) and [Growing Success, The Kindergarten Addendum, 2016 \(collectively Growing Success\)](#).
- i. Teachers use practices and procedures in keeping with current Ministry of Education direction including fundamental principles in “Growing Success” so that assessment, evaluation, and reporting are valid and reliable and lead to the improvement of education outcomes for all children and youth in Education Programs.
- j. [Learning for All: A Guide to Effective Assessment and Instruction for All Students, Kindergarten to Grade 12 \(2013\)](#) describes a set of beliefs, based on research, that should guide all program planning for children and youth enrolled in an Education Program. When planning education programs, teachers should pay particular attention to the beliefs, which are as follows:
 - i. All children and youth can succeed.
 - ii. Each child or youth has his or her own unique patterns of learning.
 - iii. Successful instructional practices are founded on evidence-based research, tempered by experience.
 - iv. Universal design and differentiated instruction are effective and interconnected means of meeting learning or productivity needs.
 - v. Classroom teachers are the key educators for child or youth’s literacy and numeracy development.
 - vi. Classroom teachers need the support of the larger community to create a learning environment that supports all children and youth.
 - vii. Fairness is not sameness.

In any program setting, children and youth may demonstrate a wide range of strengths, interests and needs. Teachers should plan programs that recognize this diversity and give children and youth performance tasks that respect their particular abilities so that they can derive the greatest possible benefit from the teaching and learning process. The use of flexible groupings for instruction, where appropriate and the provision of ongoing assessment are important elements of programs that accommodate a diversity of learning needs. An education plan outlining the strengths and needs of each child or youth and providing for individualized programming should be developed for all children and youth in Education Programs.

- k. The appropriate assessment should occur upon entry to and exit from the Education Program to confirm or inform the education plan and transition plan for that child or youth.

- l. Information about learning and achievement gathered through on-going assessment, and evaluation results should be shared on a continuous basis with the child or youth and his or her parents/guardians.
- m. It is expected that, when possible, children and youth in Education Programs will participate in large scale assessments set by the Ministry of Education or school board and appropriate arrangements will be made for the preparation and administration of the assessment.
- n. Policies and procedures regarding access to and retention, storage, use, transfer and disposal of documentation related to the educational history and progress of a child or youth in an Education Program, including but not limited to, Provincial Report Cards and the Ontario Student Transcripts (OST), must comply with s. 266 and s.266.3 of the Education Act, the Ontario Student Record (OSR) Guideline and with the other requirements set out in these Guidelines.
- o. Complete student records, including achievement of elementary curriculum expectations, secondary credits earned and documentation regarding work completed toward secondary credits, will be inserted into the OSR for the child or youth upon exiting an Education Program. Please refer to section G: Confidentiality for further information.

3. Transition Planning

CTCC Programs support children and youth with their education during times of need for care, treatment or rehabilitation. Transitions are a normal part of the CTCC program and may include transitioning back to the community day school, an alternative education program or work, community living or post-secondary destinations. Transitions may take a few weeks or a few months. Students may also transition into and out of CTCC programs on more than one occasion.

Effective planning is especially important for children and youth transitioning into or out of Education Programs. School board and CTCC Services staff must plan and facilitate effective transitions so that children and youth receive both continuous education and CTCC Services with minimal disruption when they enter or exit CTCC Programs. Personalized and precise transition plans reflect the strengths, interests and needs of each child or youth and provide the foundation for successful transition experiences. Effective transition planning supports and improves the continuity of education and programs and services for children and youth.

Elements of a transition plan should include the following information:

- Student: Date of Birth, Grade, OEN, exceptionality(ies)
- Sending School, Receiving School
- Assessment Data: Date, Source, Results
- Academics: Programming (e.g. literacy, numeracy, IEP) Grade level, Relevant Notes
- Learning Skills: Strengths and Goals

- Social Skills/Behaviour: Strengths and Goals
 - Strategies to Support Academic/Social Needs
 - Log of MDT Consultations and Student Transitioning Meeting Dates
 - Summary of Intake and Discharge Meeting
 - Recommendations to Receiving School
 - Relevant plans (e.g. safety plan, behavior plan, prevalent medical conditions plan, communication plan, personal care plan, specialized transportation plan)
 - Contact information (Education Program staff and CTCC Services staff)
- p. [Elements of the transition planning](#) include sharing of information in accordance with these Guidelines (see “Section G: Personal Information of Children and Youth” and “H: Confidentiality” and “I: Information Management and Reporting to the Ministry of Education”), regular communication with parents/guardians and gradual integration and reintegration, where appropriate.
- q. Educational strengths, interests and needs are identified through appropriate assessment procedures, where possible, before entrance to the CTCC Education Program. A variety of structures and supports may need to be considered to facilitate successful integration of children and youth into and out of a new setting (e.g. phased integration back to the community day school).
- r. Transition plans should be developed and monitored by multidisciplinary teams, which may include but are not limited to, parents/guardians, the child or youth (where appropriate), educators, CTCC Services staff and community service partners, to address the strengths, interests and needs of the children and youth and to support a seamless transition into and out of the CTCC Program.
- s. Every transition plan should identify specific transition goals, support needs, the actions required to achieve the goals, roles and responsibilities, and timelines for the implementation and/or completion of each of the identified actions. The transition plan should be stored in the OSR folder.
- t. When a child or youth enters into or exits out of a CTCC Program, the teacher should have access to information about each child or youth’s education needs and, as appropriate, attends a multi-disciplinary transition planning meeting.
- u. Where the multi-disciplinary staff of the Education Program and the CTCC Services staff agree that the child or youth no longer has a primary need for CTCC Services, the Education Program and the CTCC Services staff should work co-operatively with community agencies and the school to create a transition plan for the successful transition of the child or youth.
- v. The child or youth is supported by the Education Program staff during the transition period into the appropriate school or post-secondary setting through informal liaison, if possible and appropriate. Until this transition period is completed, the child or youth should remain on the register of the Education Program. If the child or youth should regress during the transition period, the child or youth may return to the Education Program. **The Ministry of Education will not fund the same student on two registers.**

School boards are encouraged to refer to the following resources in planning a transition plan:

- [Transition Planning: A Resource Guide \(2002\)](#)
- Policy/Program Memorandum No. 156: Supporting Transitions for Students with Special Education Needs
- Policy/Program Memorandum No. 140: Incorporating Methods of Applied Behaviour Analysis (ABA) into Programs for Students with Autism Spectrum Disorders (ASD)
- Learning for All: A Guide to Effective Assessment and Instruction for All Students, Kindergarten to Grade 12 (2013)

Additional resources, practices and samples to support transition planning processes and plans may be found in:

[Special Education in Ontario Kindergarten to Grade 12, Policy and Resource Guide, 2017](#)

- Part C: Early Identification, Assessment, and Transition Planning
- Part E: The Individual Education Plan (IEP)

[Effective Practices for Students with Autism Spectrum Disorder, 2007](#)

D. Roles and Responsibilities

1. Teacher

Due to the unique circumstances of Education Programs, teachers may perform any or all of the following duties, in addition to those set out in the *Education Act*:

- a. Develop the Education Plan for each child and/youth in co-operation with CTCC Services staff and staff of any previous or receiving school;
- b. Provide individualized education programming for each child/youth in accordance with Ministry of Education policies and resources (e.g. [Growing Success, Assessment, Evaluation and Reporting in Ontario Schools, First Edition covering Grades 1-12, 2010](#) and [Growing Success, The Kindergarten Addendum, 2016 \(collectively Growing Success](#) and [Learning for All: A Guide to Effective Assessment and Instruction for All Students, Kindergarten to Grade 12 \(2013\)](#))
- c. Collect information about the child or youth from any previous school and/or school board and share it, as appropriate, with staff of the CTCC Services (e.g. strengths, needs, successful approaches, unsuccessful strategies);
- d. Act as an education representative on a multidisciplinary team;
- e. Provide CTCC Services' staff with information which may assist in making decisions pertaining to discharge from the CTCC Services;
- f. Develop transition plans for children and youth entering and exiting an Education Program in co-operation with CTCC Services staff and staff of any previous or receiving school;

- g. Collect information about the child or youth from the CTCC Services staff upon exiting the Education Program share, discuss and transmit as part of the transition plan with staff of any receiving school and/or school board;
- h. Facilitate transitions by maintaining close relationships with any previous school and/or school board and;
- i. Participate in a collaborative manner in Ministry monitoring as requested, including the pre-population of information in the monitoring report template.

2. Educational Assistant

Educational Assistants (may also be called teaching assistants or behavior teaching assistants) may perform any or all of the following duties, in addition to those set out in the *Education Act*:

Under direction of the classroom teacher:

- a. Facilitate student learning individually and in small groups;
- b. Support the classroom's treatment environment with programming that includes social skills and effective behavior intervention strategies;
- c. Implement the techniques and strategies as demonstrated by the classroom teachers;
- d. Document, monitor and report to the teacher on program implementation
- e. Implement specific techniques, strategies and language as directed by the classroom teacher and CTCC Services staff;
- f. Carry out informal assessment activities to assist the teacher in developing individual student profiles
- g. Assist with tracking of student data
- h. Implement the student education plan in collaboration with the teacher
- i. Attend meetings with the MDT as required

3. Supervisory Officer

The Supervisory Officer (or a designate) of the school board should ensure collaboration with the person responsible for supervision of CTCC Services involved in the Education Program in order to support the most effective outcomes for children and youth. This may include:

- j. negotiation of the MOU
- k. managing the program budget
- l. liaising with CTCC facilities
- m. conducting teacher evaluations
- n. facilitating professional learning for staff
- o. presenting students to CTCC Facilities for admission consideration
- p. participating in collaborative discussions and plan of care meetings
- q. assisting with transitions of children and youth into and out of CTCC programs and assisting with the discharge process
- r. resolving conflicts as set out in the MOU.
- s. Signatory on CTCC Applications (Projected and Annual) and Board Request for Program Changes after Approval Form

E. Memorandum of Understanding (MOU) Enhanced Education and Treatment (EET) Programs

EET programs are programs wherein the ministry provides funding to the school board to deliver both education and care and/or treatment components of the CTCC program. In these programs, boards are not required to enter into an agreement with a CTCC Facility and may hire para professionals directly themselves.

If a board does choose to enter into an agreement with a CTCC facility, these Guidelines may provide some guidance for consideration as to the terms of the agreement. Regardless, school boards are required to take on all the responsibilities set out below for both school boards and CTCC Facilities, with necessary modifications.

School boards should consult with their own legal counsel when entering into agreements with CTCC Facilities.

Education Programs Requiring an MOU

The Memorandum of Understanding (“MOU”) is the written agreement between the school board and the CTCC Facility that is required by GSN Regulation. The MOU outlines the roles and responsibilities of, and the relationship between, the school board and the CTCC Facility.

Due to the relationship between CTCC Services staff and Educational Program staff, full and frank discussions about philosophies, policies, staffing arrangements and services provided by the CTCC Facility should take place. The results of these discussions should contribute to the development of the MOU.

When planning an Education Program, the location, size, and type of classroom(s) should be discussed by all parties as early in the process as possible, and as soon as the education and CTCC needs of the children or youth are established. It is the responsibility of the CTCC Facility to provide adequate and appropriate space for the Education Program. The Education Program may be located within a CTCC Facility, or in an accommodation leased elsewhere in the community, including at a school of the school board, as best meets the needs of the children and youth in the Education Program.

When planning for an Education Program, the following should be considered:

- a. sufficient space for the provision of support from CTCC Services staff
- b. support for the teacher(s) (e.g., technology, materials, classroom resources, professional development days)
- c. adequate additional space for any necessary supervisory staff
- d. any applicable collective agreements
- e. sufficient, accessible washroom facilities
- f. proper building maintenance
- g. appropriate insurance
- h. access to adequate playground or gymnasium, resource centre and other facilities
- i. the costs of leasing the space

It is anticipated that conflicts between the school board and the CTCC Services staff will be resolved through the normal consultation process among the professional staff involved and as outlined in the MOU (i.e. escalating intervention from CTCC program staff to board level/agency level supervisors to Ministry staff (EDU, MCCSS or MOHLTC)). Occasionally, issues may develop that cannot be resolved successfully in this manner. A process for resolving conflict should be agreed upon in advance by the CTCC Facility and the school board and should be included as a part of the MOU.

The GSN sets out the mandatory components of the MOU:

- a. A staffing plan that sets out the number of teachers and teacher assistants to be employed by the school board for the purposes of the Education Program.
- b. The responsibilities of the school board and the CTCC Facility.
- c. The number of spaces in the Education Program for children and youth.

The following serves as a guide for the components of the MOU.

School boards and CTCC Facilities should consult with their own legal counsel when preparing an MOU.

Components of a MOU between a School Board and a CCTC Facility

<p>Heading and Introduction</p>	<ul style="list-style-type: none"> a. names of CTCC Facility and school board b. name of Act under which the CTCC Facility is licensed, approved, established, or continued (where applicable) c. profile of children and youth served, admission processes, referral sources, catchment area, location of Education Program (address) d. geographic area to be serviced e. pupil teacher ratio, total number of spaces in the Education Program f. duration of MOU, timelines for review of MOU, procedure for termination and expiry of MOU g. how the philosophy of the school board and the CTCC Facility align.
<p>CTCC Services Responsibilities</p>	<ul style="list-style-type: none"> a. set out criteria for admission and discharge of children and youth transitioning to and from the CTCC Facility b. provide a description of the physical space, equipment, furnishings that will be provided for the appropriate accommodation of the Education Program c. provide a description of the nature and frequency of CTCC Services to be provided during the hours of instruction in the Education Program d. provide confirmation that the CTCC Facility will hire and pay the salaries of CTCC Services staff e. set out the number and type of professionals required to provide the CTCC Services needed by the children and youth during the Education Program (Designate the name and title of the person responsible for the supervision of CTCC Services staff.) f. confirmation that a treatment plan, plan of care or case management plan and safety plan will be developed for each child or youth in the Education Program g. include a copy of the site plan of the physical location of the Education Program h. confirmation that a timetable for the Education Program will be retained on file at the CTCC Facility i. confirmation that the CTCC Services will maintain security

<p>School Board Responsibilities</p>	<ul style="list-style-type: none"> a. confirmation that the school board will assign teacher(s) and teaching assistant(s), if needed, for the provision of the Education Program b. confirmation that the school board will supervise the Education Program staff c. confirmation that the school board will provide furniture, equipment and instructional supplies, as needed; d. confirmation the school board will transfer equipment purchased for the use of a child or youth in compliance with the Special Equipment Amount (SEA) Guidelines e. development of a schedule for operating the Education Program with the CTCC Services f. provision for professional development for Education Program staff, including training in Crisis Prevention g. provision for assessment and evaluation of the Education Program h. provision for maintaining the OSRs of children or youth in the Education Program in keeping with the OSR Guidelines and as set out elsewhere in these Guidelines i. provision for maintaining a daily attendance record j. provision of a description of the nature of the Education Program to be provided during the hours of instruction k. collect data and report to the Ministry as required l. participate in the Ministry of Education monitoring process.
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<p>Mutual Responsibilities</p>	<ul style="list-style-type: none"> a. establishing a conflict resolution process b. maintaining confidentiality of personal information as required by these Guidelines c. provision for the implementation of the <u>Occupational Health and Safety Act</u> as it relates to both parties d. provision for, maintaining and replacing equipment, as needed e. confirmation that a policy for all staff on violence prevention and a professional code of conduct will be developed f. ensure that, when appropriate, safety plans are developed and incorporated into Education Plans for children or youth in the Education Program. g. provision and implementation of processes and mechanisms to safeguard all staff and children or youth in the Education Program h. confirmation of a multi-disciplinary approach to all planning for each child or youth in the Education Program, including Integrated Transition Plans, where appropriate i. identifying name, title and contact information of the person responsible for supervision of the Education Program and the CTCC Services and their roles, respectively j. provision for the planning of transition to and from schools, other programs, the workplace, the community or post-secondary education, as appropriate k. provision for the design, review and evaluation of the Education Program, including the integration of CTCC Services. l. establishing procedures for transfer of a child or youth to and from an Education Program m. listing the criteria and process for removing a child or youth from the Education Program for safety or other reasons. n. Planning for the appropriate and seamless transitioning of children and youth should one party provide notice of termination per the MOU o. Ensuring the signatures of officials authorized to sign on behalf of each party are obtained.
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F. Personal Information of Children and Youth

Throughout these Guidelines there are numerous references to collaboration between the Education Program staff and the CTCC Services staff.

Any collection, use or disclosure of personal information by school boards in connection with the OSR is subject to the purposes and limitations set out in section 266 and s. 266.3 of the *Education Act*. Subsection 266(2) of the *Education Act* also provides that consent may be obtained for the use or disclosure of personal information not already provided for by s. 266(2).

Collection, use and disclosure of personal information is also subject to other applicable legislation, which may include:

[*Child, Youth and Family Services Act, 2017 \(CYFSA\)*](#)

[*Freedom of Information and Protection of Privacy Act \(FIPPA\)*](#)

[*Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)*](#)

[*Occupational Health and Safety Act \(OHSA\)*](#)

[*Personal Health Information and Protection Act, 2004 \(PHIPA\)*](#)

[*Provincial Offences Act \(POA\)*](#)

[*Youth Criminal Justice Act \(YCJA\)*](#)

When applicable, the school board must also consult the Ontario Student Record (OSR) Guideline (“OSR Guideline”) issued by the Ministry of Education.

[*The Guide to Ontario Legislation Covering the Release of Students’ Personal Information \(revised: June 2011\)*](#) issued by the Information and Privacy Commissioner of Ontario might also be of assistance.

School boards should be aware that CTCC Facilities may also be subject to legislation respecting personal information.

School boards should consult with their own legal counsel respecting compliance with applicable legislation.

G. Confidentiality

The YCJA and the POA generally prohibit the identification of young persons or release of any other information pertaining to youth in conflict with the law. This is intended to promote rehabilitation by avoiding stigmatization or premature labelling of the young person.

Therefore, every principal will ensure that **NO** information within the OSR discloses

- (a) that the child or youth is or was a young person in conflict with the law; or
- (b) the disposition of any proceedings brought under the YCJA or the POA.

If an entry in an OSR does disclose such information, the principal of the school or the Education Program which has custody of the OSR must ensure that the entry is altered appropriately or deleted from the OSR.

School boards must also ensure that all documents in the OSR, including the OST, the Ontario Secondary School Diploma and the Education Plan (including the transition plan), do not disclose that a child or youth was in an Education Program.

If the CTCC Services are not governed by the provisions of the YCJA or the POA, an adult who attends or attended an Education Program or the parent/guardian of a child or youth that attends or attended an Education Program may request that the CTCC Services be identified.

It is **strongly recommended** that school boards designate one or more schools to act as the credit granting institution so that the OSR, the OST and other documents in the OSR do not reveal that the child and/or youth was in an Education Program. If another method of granting credits is used, the school board must ensure that such method will not result in revealing that the child and/or youth was in an Education Program.

Education Program staff shall request the OSR be transferred to the Education Program for every child and/or youth in a timely manner.

The school board that provides the Education Program must establish procedures for obtaining and securely transferring OSRs from any previous schools to Education Programs and from Education Programs to a board in situations where a student transitions back to a board.

H. Information Management and Reporting to the Ministry of Education

1. School boards are responsible for ensuring that the appropriate protocols and procedures are in place for the gathering and storage of all relevant documentation in accordance with the applicable legislation and other requirements set out elsewhere in these Guidelines.
2. The Ministry of Education is authorized paragraph 5 of s. 8.1(1) (5) of the *Education Act* to collect personal information, directly or indirectly, for purposes of research and statistical activities that relate to education that are conducted by or on behalf of the Ministry.
3. The Ministry is obligated to ensure that it has processes in place to protect personal information and to comply with its legal obligations respecting the collection and retention of personal information.

4. School boards must comply with Ministry of Education on-going need and requirements to collect information about children and youth in Education Programs as part of the mandatory annual OnSIS data collection process collected at the end of each school year (i.e. end of August) (e.g. OEN, Grade, admission and demission dates, student achievement, IEP). Detailed instructions regarding the OnSIS process are posted on the password protected OnSIS website.
5. The school board shall also provide any information requested by the Ministry respecting the Education Program, including filling out the Monitoring Template. Ministry Regional Office staff monitor programs on a minimum three year cycle. Templates are shared prior to the monitoring site visit for completion and discussion during the monitoring site visit. Requests for data may occur at any time.

I. Approval and Funding

These Guidelines are subject to the regulations governing the funding of Education Programs for the 2019-20 school year (i.e. September 1, 2019 – August 31, 2020) including summer school, if made.

A child or youth in an Education Program must not be recorded as a pupil of a school board and is not eligible for funding, on either a full-time or part-time basis, as a pupil of the school board. These children and youth must be reported for funding purposes only on the register of the Education Program. During transition, students must only be reported on one register.

1. Funding

CTCC funding is provided by the Ministry of Education and the ministry funding the CTCC Facility (i.e. Ministry of Children, Community and Social Services, Ministry of Health and Long-Term Care or the Ministry of Community Safety and Correctional Services). Funding for school boards that are approved to provide an Education Program during the school year (excluding summer Education Programs) are funded through the GSN by the Ministry of Education for:

- a. the salary of the teachers and related employee benefits;
- b. the salary of the educational assistants, if applicable, and related employee benefits;
- c. the salary and related employee benefits of a liaison/administrator, where there are a minimum of 16 FTE teachers;
- d. an additional amount per teacher and educational assistant in respect of the expenditure incurred by the school board for administrative, consultative and supervisory services and for the purchase of instructional supplies;

- e. in new and/or expanded Education Programs only, a start-up amount for classroom furniture and equipment. This amount shall not exceed \$3,523 unless the school board obtains Ministry approval; and,
- f. in EET Programs only, the salaries and related employment benefits of health professionals, regulated social service professionals and paraprofessionals. Education Programs provided in summer will be pro-rated for their length of operation.
- g. in Divested programs only, Operating Expenditures and Capital Expenditures (must provide details for the expenditure (s) per the application form).

2. Funding of Teachers

Ministry approval for funding of teachers in Education Programs is primarily based on the number of children and youth and their attendance in the Education Program as reported by the school board.

Funding for teachers may also be based on a number of other factors, including:

- h. the mandate of the CTCC Services and the total number of children and youth currently being served and/or currently in an admission/discharge process with the CTCC Facility who could benefit from education;
- i. the attendance patterns evidenced in any previous annual MOU between the school board and the CTCC Facility;
- j. short-term enrolment fluctuations in the number of children or youth in the Education Program;
- k. an indication of the amount of time during the hours of instruction of the Education Program required for CTCC Services;
- l. a comprehensive analysis of the educational needs of the children and youth in the Education Program;
- m. the nature of the multi-disciplinary program and service delivery.

3. Funding of Educational Assistants

In unique situations, where careful analysis of the Education Program and CTCC Services service delivery indicates that it cannot be delivered appropriately for a particular grouping of students without greater individualization, a request may be submitted with the Program Approval Package for funding of a teaching assistant.

It must be stressed that an educational assistant is employed by the school board only for educational purposes under the direction of a teacher and is not present to provide additional CTCC Services. CTCC Services staff must be allocated by the CTCC Facility to fulfil the mandate of the CTCC Facility and to address the care, treatment and/or rehabilitation needs of the children and youth in the Education Program.

4. Funding of Liaison/Administrators

Various staffing arrangements could accommodate the provision of some administrative, assessment or liaison functions. There may be a need for **one full time non-teaching position for each 16 FTE teachers**. There may also be exceptional circumstances whereby special consideration is given to a school board that requires additional staffing supports. These requests should be included in the Program Approval Package and supported by evidence.

5. Calculating Enrolment

It is recognized that enrolment can fluctuate with temporary highs and lows. Enrolment would be calculated based on the following criteria:

- n. Children and youth must be enrolled in the Education Program and must have a primary need for care, treatment and/or rehabilitation;
- o. An Education Program is composed of both instructional and treatment/rehabilitation activities wherein both the teaching Education Program staff and CTCC Services staff are working with the children or youth at the same time;
- p. Students age 21 and over on December 31, 2019 shall not be included in the enrolment reported in the Program Approval Package for 2018-19;
- q. Calculating the number of children or youth in an Education Program shall be determined in the same manner as calculating enrolment of pupils in schools. The calculation of full-time and part-time FTE should be done in the same manner as is done for pupils as set out in any enrolment register instructions for schools for 2019-20 that may be issued;
- r. The FTE may be reported by adding the number of days of attendance of all the children or youth in the Education Program and dividing it by the number of instructional days in that month.

School boards are responsible for keeping accurate records of enrolment and attendance for funding purposes. The FTE reported for a child or youth in an Education Program must be supported by timetables, education plans, and attendance records and must be reported on the Application Form.

It is the responsibility of the designated Supervisory Officer of the school board to confirm the FTE of children and youth in an Education Program. The Regional Office Lead must be kept informed of fluctuations in the number of children and youth in the Education Program. When there is a change in numbers which is not temporary, it may be necessary to decrease staffing.

6. Education Program Details

The school board must indicate whether the Education Program is designed for the children and youth to attend:

- a. For an average of 210 minutes or more per day
- b. For an average of less than 210 minutes per day
- c. On an independent study basis defined as an arrangement by which a child or youth studies independently but under the supervision of a teacher

- d. A combination of the above (please specify)
- e. Other (please specify)

7. Determining Pupil Teacher Ratio (PTR)

In calculating the PTR, the Ministry will take the following factors into consideration:

- the overall needs of the CTCC Services as they relate to the Educational Program;
- the opinion of CTCC Services staff about CTCC treatment requirements;
- the rules found in R.R.O. 1990, Reg. 298 (Operation of Schools – General), s. 31 governing the maximum enrolment in self-contained special education classes for pupils of the board.

8. Base School Operations Amount

Education Programs operating in a space owned by a school board are eligible for the Base School Operations Amount.

In calculating the Base School Operations Amount, please refer to the Ministry's *Technical Paper on Education Funding for 2019/20*.

For the purposes of this calculation, Education Programs that are operated in a space owned by a school board are treated in the same manner as Continuing Education.

J. Transportation

Section 190 of the *Education Act* provides the legislative authority for school boards to transport pupils. School boards are authorized to transport a person who is otherwise qualified to be a resident pupil of the school board to and from various facilities set out in s. 190(3) of the *Education Act*.

K. Changes After an Education Program has been Approved

School boards are required to contact the Regional Office to discuss any changes to the Education Program that occur after the initial Ministry approval. Changes requiring notice to the Regional Office Lead include:

- a. staffing adjustments;
- b. fluctuations in children/youth attending
- c. any proposed amendments to the MOU;
- d. the possibility of and/or actual termination of the MOU by either party;
- e. the possibility of entering into a new MOU;
- f. location change of the Education Program; or,
- g. significant changes to the Education Program.

Following discussion with the Regional Office Lead, the above information may be required to be submitted to the Regional Office Lead by way of a completed Board Request for Program Changes after Approval Form signed by the Superintendent which includes the following information:

- a. Program Closure:
 - i. The rationale and a detailed explanation of the change and/or closure;
 - ii. In the case of a possible or actual termination of an MOU, a transition plan for the children and youth in the Education Program, including communication plans for all children and youth and their parents/guardians

- b. Re-allocation of funds and or Program Changes:
 - i. The rationale and a detailed explanation of the change
 - ii. Partnering CTCC Facility
 - iii. Need of students (# of students to be served)
 - iv. Geographical area that was that that will be served
 - v. Site of new classroom
 - vi. Transition plan for students
 - vii. Communication plan to students/parents/guardians
 - viii. Plan for teacher/educational assistant re-assignment
- c. Once the Regional Office reviews the form, it will be submitted to the Special Education/Success for All Branch for consideration.
- d. For re-allocation of funds, if the Ministry approves the re-allocation, an amended Application Form for Education Programs: Care and/or Treatment, Custody and Correctional (CTCC) Facilities will be required.
- e. Following approval, subsequent Program Renewal Applications to the Ministry should include an updated Application Form, which reflects any approved changes made to the program.

L. Regional Office Contact Information

For additional information pertaining to Education Programs, contact the Regional Office Lead in your area. Regional Office contact information is available on the [Education Finance Information System \(EFIS\) website](#).

M. Terminology and Notes

Throughout this document:

“CTCC” is care and/or treatment, custody or correctional.

“CTCC Facility” is a facility which is approved, designated, established, licensed or registered by the Government of Ontario.

“CTCC Program” is the CTCC Services and Education Program.

“CTCC Services” are care, treatment and/or rehabilitation services provided by a CTCC Facility or, in the case of EET Education Programs, by the school board.

“Divested programs” are programs that existed prior to the creation of Education Programs. They remain distinct from current Education Programs as they are funded differently and have their own renewal application form. All other provisions set out in these Guidelines remain applicable.

“Education Plan” is a written working document describing the CTCC education program and the learning that will be provided to and undertaken by an individual child or youth. The Education Plan identifies learning expectations that align with the relevant curriculum (Ontario curriculum or Board alternative) and are informed by the strengths, needs and interests of the individual student. Accommodations or modifications and connections to assessment and evaluation may also be features of an Education Plan.

“Education Program” is the educational component provided to children and youth receiving CTCC Services as a primary need within the CTCC Program. Education Programs are currently governed and funded by annual regulations made under the *Education Act*.

“EET” is Enhanced Education and Treatment, an Education Program in which school boards may directly hire regulated health professionals to provide CTCC Services in the Education Program.

“Ministry” is the Ministry of Education.

“Ontario Curriculum” is all documents setting out the Ontario curriculum for elementary and secondary school posted on the Ministry of Education [website](#).

“Rehabilitation” includes both custody and corrections.

Notes

These Guidelines are subject to of regulations being made governing the funding of Education Programs for the school year of 2019-20.

These Guidelines apply to all Education Programs, with necessary modification for EET Education Programs, except where EET Education Programs are specifically addressed herein.